

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

US SMALL BUSINESS ADMINISTRATION,                      No     C 07-3741 VRW  
as Receiver for PROSPERO  
VENTURES, LP,                                                              ORDER

Plaintiff,

v

DONALD K EMERY,

Defendant.

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On September 30, 2009, the court issued an order for defendant to show cause why the above-captioned case should not be dismissed due to his failure to respond. Doc #79. In response, defendant stated his non-opposition to plaintiff's motion for summary judgment. Doc #80.

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1 In light of defendant's statement of non-opposition,  
2 plaintiff's motion for summary judgment is GRANTED. The clerk is  
3 DIRECTED to enter the attached form of judgment and close the file.

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5 IT IS SO ORDERED.

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8 VAUGHN R WALKER  
9 United States District Chief Judge  
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